

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

2 West, Inc., On Behalf of Itself and All
Others Similarly Situated,

Plaintiff,

V.

VIRGIN MOBILE USA, INC., DANIEL H. SCHULMAN, JOHN D. FEEHAN, JR., LEHMAN BROTHERS INC., MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED, and BEAR, STEARNS & CO. INC.,

Defendants.

ECF CASE

07 CV 11625 (UA)

RULE 7.1 STATEMENT

Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local Civil Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for 2 West, Inc. (a private non-governmental party) certifies that there are no corporate parents, affiliates and/or subsidiaries of said party, which are publicly held.

Date: December 28, 2007

s/ Richard A. Speirs
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